

# Utah State Building Board



## MEETING

November 28, 2007

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### **MINUTES**

#### **Utah State Building Board Members in attendance:**

Larry Jardine, Chair  
Kerry Casaday, Vice Chair  
Steve Bankhead  
Cyndi Gilbert  
Mel Sowerby  
John Nixon, Ex-Officio

#### **DFCM and Guests in attendance:**

Gregg Buxton	Division of Facilities Construction & Management
Kent Beers	Division of Facilities Construction & Management
Shannon Elliott	Division of Facilities Construction & Management
Dana Edwards	Division of Facilities Construction & Management
Alan Bachman	DFCM/Attorney General's Office
Kimberly K. Hood	Department of Administrative Services
Steve Allred	Legislative Fiscal Analyst's Office
Kimberlee Willette	Governor's Office of Planning and Budget
Sarah Parris	BNA Consulting
Pat Gleason	Calder Richards
Chris Coutts	MHTN Architects
Jackie McGill	Spectrum Engineers
Kevin Farnsworth	URS Corporation
RoLynne Hendricks	VCBO Architecture
James VanRoosendaal	VCBO Architecture
Greg Peay	Corrections
Darin Bird	Department of Natural Resources
Reed Harris	Department of Natural Resources
Bob Askerlund	Salt Lake Community College
David Tanner	Southern Utah University
John McNary	University of Utah
Ken Nye	University of Utah
Mike Perez	University of Utah
David Besel	Utah State University
Darrell Hart	Utah State University

On Wednesday, November 28, the Utah State Building Board held a regularly scheduled meeting in W125 State Capitol Complex, Salt Lake City, Utah. Chair Larry Jardine called the meeting to order at 9:10am.

☐ **APPROVAL OF MINUTES OF OCTOBER 18, 2007 .....**

Chair Jardine sought a motion on the Building Board meeting minutes of October 18, 2007.

**MOTION: Steve Bankhead moved to approve the Building Board meeting minutes of October 18, 2007. The motion was seconded by Cyndi Gilbert and passed unanimously.**

☐ **APPROVAL OF FY2009 PROJECTS FROM OTHER FUNDING SOURCES .....**

It was unclear if the Board had previously approved the non-state funded projects along with the state funded projects. Therefore, DFCM requested formal approval from the Board to alleviate the confusion and allow the projects to proceed to the Legislature.

**MOTION: Kerry Casaday moved to approve the FY2009 projects from other funding sources. The motion was seconded by Steve Bankhead and passed unanimously.**

☐ **FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION FOR DFCM RULES UNDER TITLE R23 .....**

Alan Bachman stated several rules were up for their five-year review. DFCM also hoped to update the rules based on statutory references and changing language. DFCM requested the Building Board provide direction to file the five year notice of review and statement of continuation for the following rules:

R2304, Suspension/Debarment  
R23-5, Contingency Funds  
R23-6, Value Engineering and Life Cycle Costing of State Owned Facilities Rules and Regulations  
R23-9, Cooperation with Local Government Planning  
R23-10, Naming of State Buildings  
R23-21, DFCM Lease Procedures  
R23-24, Capital Projects Utilizing Non-appropriated Funds

**MOTION: Cyndi Gilbert moved to approve the filing of the "Five Year Notice of Review and Statement of Continuation under Title R23."**

Mel Sowerby clarified that the Board was posting notice of the effect that the rules were under consideration. Alan Bachman responded they were notifying the Department of Administrative Rules that the rules should remain in effect. Any individual revisions will be

brought before the Board at a later date.

**The motion was seconded by Mel Sowerby and passed unanimously.**

**❑ PROJECT DELEGATION LIMITS.....**

Gregg Buxton indicated the performance has been less than DFCM standard on delegated projects at the University of Utah and Utah State University than in the past. Mr. Buxton agreed there is a need for delegation and the institutions had been increasingly improving since the issues were brought to their attention. He did not question the institution's ability to perform the work, but he was worried about the impact by increasing the delegation limits.

Darrell Hart, Utah State University, noted that the delegation limits for capital improvements had been increased to \$2.5 million. He also noted that many projects have been combined in order to obtain better bids, which may be reflected in their completion percentage. This year, USU is forecasting an 85% completion rate by March 30. Mr. Hart felt as capital improvement limits increase, USU would average about 20 delegated projects a year. He did not feel increasing the delegation limit to \$4 million would negatively impact USU.

Michael Perez, University of Utah, did not believe delegation negatively impacted the institution's quality of work and their ability to manage the work. The percentage of work completed is compounded by the difficulty of projects, implementation of projects with major systems, and the coordination of schedules. The focus on capital improvements has increased, and the change in delegation limits from \$5 million to \$10 million would not negatively impact their projects.

Ken Nye, University of Utah, referred to the projected percentage completion of projects for this fiscal year. He reminded the Board that last spring, their report was at 67%, which was 14 out of 21 projects. Of the seven projects that were not under construction yet, five of those were in the procurement process and timing issues were being resolved. The University projected all of their projects will be under construction by April.

Cyndi Gilbert asked if the change in project delegation would allow the Board to exempt certain projects from delegation. Gregg Buxton responded that the Board had the option to rescind delegation if there were appropriate reasons.

Michael Perez knew DFCM was concerned with the challenges of the process of capital improvements, and the ability for good, thorough analysis of projects. He said many unforeseen issues were found during the design process which prolonged the project. He encouraged the Board to tour the University to see how they operate and how to ensure their process is flowing.

Kent Beers reminded the Board that last year was the first time the institutions were asked to report on the percentage of the capital improvement projects completed or under

contract, and DFCM's percentages were similar when they first started reporting. DFCM now balances between 93-98% over the last several years. Both institutions will need to make an adjustment in timing in order to make contracts by the end of March. DFCM has reviewed the change in delegation with GOPB and the Legislative Fiscal Analyst's Office who determined the institutions have the capability to manage the projects with their processes in place. They recommended to proceed with the delegation and concurred with the recommendation.

**MOTION: Steve Bankhead moved to increase the project delegation limits. The motion was seconded by Cyndi Gilbert and passed unanimously.**

**❑ LONG TERM LEASE REQUEST FOR LAND IN WASHINGTON COUNTY ON BEHALF OF DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WILDLIFE RESOURCE.....**

DFCM recommended that the Board approve the request for a 49-year lease for the Department of Natural Resources, Division of Wildlife Resources. The property is at Quail Creek Reservoir, Route 318.

Darin Bird, Deputy Director at DNR, stated the property in Washington County is slightly unique where they are funded by a partnership that includes Washington County Water Conservancy District, the Bureau of Land Management, Division of Wildlife Service, and the Department of Natural Resources. The partnership currently pays a portion of the rent in the location in St. George. The partnership has an opportunity to pool their resources and relocate at Quail Creek. The land is owned by the Washington County Water Conservancy District who will lease the State the land needed for \$1.00 for 49 years with a 50 year renewal option. This will allow the partnership to cash out and build a building with DFCM.

**MOTION: Cyndi Gilbert moved approval of a 49 year lease for the Department of Natural Resources, Division of Wildlife Resources in Washington County at Quail Creek.**

Steve Bankhead asked if there would be an entity requesting an appropriation in the future. Mr. Bird responded that there will be no request for state money. The partnership will have money available to build a 3000-4000 square foot building.

**The motion was seconded by Steve Bankhead and passed unanimously.**

**❑ LONG TERM LEASE REQUEST FOR LAND IN SALT LAKE CITY ON BEHALF OF DEPARTMENT OF TRANSPORTATION .....**

DFCM recommended that the Board approve the request for a 49-year lease for the Department of Transportation for a maintenance shed in Parley's Canyon. This location is needed to provide critical services and access to the highways in Parley's Canyon to allow

the ability of the Department of Transportation to maintain, plow and sand roadways in the canyon to enhance safe driving conditions for motorists going between Salt Lake County and Summit County. Salt Lake City has agreed to lease their land to accommodate the needs of UDOT. The cost is minimal for the lease and will be beneficial both to the state and to the city.

**MOTION: Mel Sowerby moved to approve the 49 year lease for the Department of Transportation.**

Kent Beers explained UDOT would be coming to the Board via capital improvements to add a building and upgrade the maintenance station to this site. The split funded project will be funded through capital improvements and the UDOT transportation fund.

**The motion was seconded by Steve Bankhead and passed unanimously.**

**❑ ADMINISTRATIVE REPORT FOR UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY .....**

Ken Nye, University of Utah, presented the administrative report for the period of September 28 to November 9, 2007. There were five design agreements and four study agreements awarded for the period. There were also five remodeling contracts and one site improvement contract awarded. Two decreases occurred with the Contingency Reserve Fund for the HEB replacement of the fire alarm and sprinkler system and to upgrade the cold water system.

**MOTION: Steve Bankhead moved to approve the University of Utah administrative report. The motion was seconded by Kerry Casaday and passed unanimously.**

David Besel, Utah State University, provided the administrative report for the period of September 26 to November 7, 2007. There were four professional contacts and 14 construction contracts awarded for the period. A large transfer was made to the Contingency Reserve Fund for the Bus Turnaround project. USU's quarterly report indicated 15 contracts have been closed, 29 are now in progress, and 11 new contracts have been issued during the quarter.

**MOTION: Mel Sowerby moved to accept Utah State University's administrative report. The motion was seconded by Cyndi Gilbert and passed unanimously.**

**❑ REALLOCATION OF CORRECTIONS FY2009 CAPITAL IMPROVEMENT FUNDS**

DFCM recommended that the Board approve the request from the Utah Department of Corrections to reallocate approximately \$500,000 in FY2008 Capital Improvement Funds to install a security fence at the Lone Peak facility at the Draper Prison.

**MOTION: Mel Sowerby moved to approve the reallocation of \$500,000. The motion was seconded by Kerry Casaday and passed unanimously.**

**☐ ADMINISTRATIVE REPORTS FOR DFCM .....**

Kent Beers provided the DFCM administrative report for the period of September 20 to October 31, 2007. There were 36 architect/engineering agreements and 42 construction contracts awarded for the period. There were decreases to the Contingency Reserve Fund for the Unified Lab Facility, the SLCC Jordan Campus Health Sciences Building, the Mountainlands ATC Maintenance Building Code Upgrades and Vernal Juvenile Courts Replace Rooftop HVAC Units.

**☐ ADJOURNMENT .....**

Shannon Elliott distributed the 2008 Building Board schedule. The January meeting may be changed to accommodate the joint meeting with the Capital Facilities and Government Operations Committee.

**MOTION: Cyndi Gilbert moved to adjourn at 10:00am. The motion was seconded by Steve Bankhead and passed unanimously.**

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